

(5:09CV01575)

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HITACHI MEDICAL SYSTEMS
AMERICA, INC.,

Plaintiff,

v.

DAVID BRANCH, *et al.*,

Defendants.

) CASE NO. 5:09cv1575
)
)

) JUDGE BENITA Y. PEARSON
)
)

) **MEMORANDUM OF OPINION AND**
) **ORDER (Regarding ECF No. 314)**

Before the Court is the Report and Recommendation of Magistrate Judge George J. Limbert recommending that Plaintiff Hitachi Medical Systems America, Inc.'s Request for Entry of Judgment as to Defendant Daniel Branch be admitted.¹ [ECF Nos. 314, 298](#).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. [Id.](#); [Fed.R.Civ.P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn, 474 U.S. 140, 145,\(1985\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir.1981\)](#). Absent objection, a district court may adopt the magistrate judge's report without review. *See* [Thomas, 474 U.S. at 149](#).

In the instant case, Defendant Daniel Branch has not filed objections to the Report and

¹ The matter was referred to Magistrate Judge George J. Limbert for general pretrial supervision and for the preparation of a Report and Recommendation on dispositive motions pursuant to Local Rule 72.2. *See* [ECF No. 68](#).

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Recommendation. The Court finds that the Report and Recommendation is supported by the record, and agrees with the recommendation of Magistrate Judge Limbert to issue a judgment entry in favor of Plaintiff Hitachi Medical Systems America, Inc. and against Defendant Daniel Branch. [ECF No. 314](#).

Accordingly, the Court adopts Magistrate Judge Limbert's Report and Recommendation. Plaintiff Hitachi Medical Systems America, Inc.'s Request for Entry of Judgment as to Defendant Daniel Branch is granted. [ECF No. 298](#).

IT IS SO ORDERED.

May 13, 2011
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge